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مقدمة المؤلف

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باب بيان وجوب العلم بأصول الفقه وكيفية وجوبه

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باب ماهية أصول الفقه، وكيفية الاستدلال بها، وما يتبع كيفية الاستدلال بها

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باب قسمة أصول الفقه

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كتاب الله تعالى

باب حقيقة الكلام وأقسامه

باب الحقيقة والمجاز

الحقيقة باب في إثبات الحقائق المشتركة

باب في إثبات الحقائق العرفية

باب في إثبات الحقائق الشرعية

المجاز باب في إثبات المجاز في اللغة

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باب في حُسن دخول المجاز في كلام الله تعالى، وأن الله قد تكلم به

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باب في ذكر ما يفصل بين الحقيقة والمجاز

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باب بيان طريق المجاز ووجوهه

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باب في بيان أن اللغات توقيفية أو اصطلاحية

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باب حقيقة الأمر واختصاصه بالقول

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باب ما يقع عليه قولنا: افعل

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باب في أن صيغة "افعل" هل هي مشتركة بين الفائدتين
على سبيل التحقيق أم لا؟

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باب في أن صيغة الأمر، هل تفيد الوجوب أم لا؟

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باب في أن الأمر الوارد بعد حظر سمعي أو عقلي ما الذي يفيده؟

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باب في الأمر بالأشياء على سبيل التخيير هل يفيد وجوب واحد منها غير عين، أو يفيد وجوب الكل على طريق البدل؟

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باب في أن الأمر بالفعل، هل يدل على الإجزاء؟

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باب في أن الأمر بالشيء، هل هو أمر بما لا يتم الواجب إلا به؟

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باب في الأمر بالشيء هل هو نهي عن ضده؟

باب في أن الأمر المطلق هل يقتضي

تكرار الفعل المأمور به أم لا؟

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باب في أن الأمر المعلق بالشرط والصفة، هل يقتضي تكرار الفعل المأمور به

إذا تكرر الشرط والصفة؟

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باب في أن الأمر المطلق، هل يقتضي تعجيل الفعل المأمور به أم لا؟

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باب في الأمر الموقت بوقت، متى يجب الفعل فيه؟

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باب في الأمر الموقت بوقت، هل يدل على

إيجاب الفعل فيما عدا الوقت، أم لا؟

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باب في أن الآمر هل يدخل تحت الأمر أم لا؟

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باب في الأوامر الواردة من النَّبي ﷺ هل هي متوجهة

إلى من نشأ بعده من أهل الخطاب أم لا؟

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باب في أمر المعدوم

باب في الأمر بالموجود

باب في الأمر بالأمر بالشيء، هل يكون أمرًا بذلك الشيء أم لا؟

باب في الأمر المقيد بشرط زوال المنع

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باب في أمر المتمكن من الفعل القادر عليه في الحال، والمعلوم

عند الله تعالى أنه لو أراد الفعل يحرم

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باب في الأمر المقيد بالشرط وغيره، هل يدل

على أن الحكم فيما عداه بخلافه أم لا؟

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باب في الأمر الوارد عقيب أمر بحرف العطف وغيره

باب في كيفية إيجاب الأمر لفروض الكفايات

باب في أن الواجب هل يكون أوجب من واجب؟

باب في شرائط حسن الأمر

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باب الكلام في النواهي

باب في ذكر ما يفصل به بين ما يفسد بالنهي وبين ما لا يفسد

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باب الكلام في العموم

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أما الفصل الأول:

اسم العموم هل يقع على المعاني على سبيل الحقيقة أو يختص بالأسماء والألفاظ؟

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الفصل الثاني: اسم العموم إذا وقع على الأسماء والألفاظ ما الذي يفيده؟

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وأما الفصل الثالث: وهو قسمة الألفاظ العامة

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وأما الفصل الرابع: وهو الكلام في إثبات العموم في اللغة

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باب في الألف واللام إذا دخلا على الاسم

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وأما الثاني:

باب في الجمع المُذكّر

باب في أن أقل الجمع: ما هو؟

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باب في أن نفي مساواة الشيء الشيء، هل يقتضي

نفي اشتراكهما في جميع الصفات أم لا؟

باب في أن خطاب الذكور هل يتناول الإناث أم لا؟

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باب في أن العبد هل يدخل تحت الخطاب بالعبادات أم لا؟

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باب في أن الكافر هل يخرج عن الخطاب بالشرعيات أم لا؟

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باب الخصوص

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باب ما ينتهي إليه التخصيص من الغاية

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باب في استعمال لفظة العموم في الخصوص

باب ما يصير العام به خاصًّا

باب ما يعلم به تخصيص العام

- تخصيص العام بالأدلة المتصلة:

باب في تخصيص العام بالاستثناء

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باب في الاستثناء المتعقب كلمات معطوفة بعضها

على بعض هل ينصرف إلى ما يليه أو إلى جميع ما تقدم؟

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باب تخصيص العام بالأدلة المنفصلة

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باب في بناء العام على الخاص

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باب في أن العام إذا دخله الخصوص

هل يصير مجازًا أم لا؟

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باب في أن العام المخصوص،

هل يصح الاستدلال به فيما عدا المخصوص أم لا؟

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باب في تخصيص العام بالعادة

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باب في أن العام: هل يخص لوروده على سبب خاص أم لا ؟

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باب في تخصيص عموم الابتداء بخصوص الانتهاء

وتخصيص عموم الانتهاء بخصوص الابتداء

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باب في أن المعطوف هل يجب أن يضمر فيه جميع ما يجب إضماره في المعطوف عليه أم لا؟ وهل إذا وجب ذلك وكان المضمر في المعطوف مخصوصًا وجب أن يكون في المعطوف عليه مخصوصًا أم لا؟

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باب في أن ذكر ما شمله العام

هل يوجب تخصيص العام أم لا؟

باب العمومين إذا تعارضا

باب في المطلق والمقيد

باب في تعريف المطلق

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باب في أن المطلق إذا دخله قيد،

هل يصير مجازًا، وهل يصح التعلق به في الباقي؟

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باب في حمل المطلق على المقيد

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باب المجمل والمبين

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باب في معرفة ما يحتاج إلى البيان وما لا يحتاج إليه

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باب ما أخرج من المجمل وهو منه، نحو

إرادة المعنيين بعبارة واحدة

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باب في ما ألحق بالمجمل وليس منه

باب ما يكون بيانًا للأحكام الشرعية

باب في تقديم القول على الفعل في البيان

باب في أن البيان هل يكون كالمبين

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باب في جواز تأخير بيان المجمل والعام والنسخ

١- أما تأخير بيان المجمل

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٢- وأما تأخير بيان العموم

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باب في من يجب له البيان وفيمن لا يجب

باب في إسماع العام المكلف، دون إسماع ما يخصصه

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باب في الفصل بين البداء والنسخ

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باب في جواز نسخ الشرعيات

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باب في نسخ الفعل إذا كان الأمر مقيدًا بلفظ التأبيد

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باب في أن إثبات بدل العبادة ليس بشرط لجواز النسخ

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باب نسخ العبادة إلى بدل هو أشق

باب في نسخ التلاوة والحكم جميعًا

أو نسخ التلاوة دون الحكم، أو نسخ الحكم دون التلاوة

باب في نسخ الأخبار

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باب في نسخ الكتاب بالكتاب والسنة بالسنة

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باب نسخ الكتاب بالسنة المتواترة

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باب النسخ بالإقرار من الرسول ﷺ

باب الزيادة على النص هل هو نسخ أم لا؟

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باب في بيان أن نقصان شرط العبادة وجزء منها
هل يكون نسخًا لمَا عداه أم لا؟

باب في الطريق إلى معرفة كون الحكم منسوخًا

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باب الأخبار

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باب في الأخبار التي يعلم صدقها، والتي يعلم كذبها
والتي لا يعلم كلا الأمرين فيها في أخبار الآحاد

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باب في وقوع العلم بالتواتر
وبيان صفة العلم الواقع بالتواتر

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باب في ما ألحق بالمتواتر من الأخبار

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باب في بيان شرط وقوع العلم بالتواتر

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باب في أن خبر الواحد هل يوجب العلم أم لا؟

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باب في ما يقبل فيه خبر الواحد، وما لا يقبل فيه ذلك

باب في جواز ورود التعبد بخبر الواحد

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باب في ورود التعبد بأخبار الآحاد

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باب في ما يرد له الخبر وما لا يرد

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باب في ذكر فصول الراوي

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باب في ما يرد الخبر إذا كان رواية واحد

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باب في نقل الحديث بالمعنى

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باب في طريق رواية الحديث

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باب القول في المراسيل

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باب في التدليس

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باب في الخبر الواحد إذا كان مقتضاه

خلاف ما اقتضى العقل

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باب في خبر الواحد إذا ورد رافعًا لحكم الكتاب والسنة المتواترة

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باب في الحكم إذا اقتضى عموم الكتاب فيه
خلاف ما اقتضاه خبر الواحد

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باب في الحكم إذا اقتضى عموم القياس فيه
خلاف ما اقتضاه خبر الواحد

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باب في فائدة الخبر إذا كان البلوى به عامًّا
هل يقبل فيه خبر الواحد أم يرد

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باب في قول الصحابي: أمرنا أن نفعل كذا، ونحو ذلك

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."ãŎŎ ȷźŸÁǼãǿǻ" :ǿźǾ
.ǿǽąǼŹÕŽŹǿǺ ŧ ĐžźǿźǾȷÜÄŹǺş -
."ãŎŎ ÒŤÁǫpÜǺǻǻÜ :ǿǼąãÕǺǻÜ
ÆĒĿŃǹźĿş .ǺŊŽŽǻﷺ ŪǼŔŎźĿ ǺǫǻãȷÜǺŔÆǺŽĹĄ ȷÜĔÜŢŘ ĦǻǺĒĹáę
.-! ãǿþǿ ŪǻǺÅãã
ÆĒĹáǿǿǻȷǾǬÇdȷǺǻ ﷺ ŪǼŔǻǺǻÜǾǬǛ :ǾǬǬ ǿǻþĔÜŢŘĦǻǺĒĹáę
ǿŸãǺǻÜBşÅǻǬÔǺŎŋ Ǿþ Ǒãǿ Ÿş .-! ãǿþǿ ŪǹǺǬãǿĚΣãźǻĚÑĚ ãǻ
."ĞǻǻąǻÄǩźǺş ȷãǿããǬĀ ΛȷÜ
ȷǗ Û ﷺ ŪǼŔǿźęǿǿþŸ Ǿǻ3 ﷺ ǺǬãźǻĒ Ǻǿ ȷÜǬǿǺŎ ȷÜǻǺǾǻţǻ
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ǿǺşÜǿbÆǿǿŏ ÛǬǾȷşåǿǬǻ ŷǺǬǿbźĿ ǺǫǻãȷÜãǺǻǬǾĎŽbǿÁĹŢǺ"ãŎŎ
ô ǺǬȷȷ ş ÛǬǾȷşå ȷǺǾĒãǺǻĿǿÅĹŢź"ãŎŎ ǾŤÁǫpÜǺǻǻÜ :ǿǼąãǻȷǺǾĒã
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ǾǺŊ ǫ ǿźěǺǬãǾǬǾȷĘǵ Žş ÛǬǺǻÞ Ÿ ǾǻĦﷺ ǿźěǺǬǿr ÜĚ Ěǿ ﷺ ǺǬǿŸÜ
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.ﷺ ŪǼŔǺǻÞŸ ǾΣãk ĦǾŸźÛǬǺǻ ãǻ ŷǺǬǵ ǫ ǼǺǿǺǻǻ
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باب في الراوي إذا روى حديثًا بخلاف مذهبه
هل يُترك روايته أم لا؟

باب في تعارض الخبرين

باب في ما يترجح به أحد الخبرين على الآخر

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باب في ذكر القادرين الذين يجوز
عليهم الفعل الحسن والقبيح

باب في ذكر معنى: التأسي، والمتابعة، والموافقة، والمخالفة والائتمام

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باب في دلالة أفعال النَّبي ﷺ على الأحكام

باب في طريق معرفة الجهة التي

تقع أفعال النَّبي ﷺ عليه

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باب في التأسي بالنبي ﷺ

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باب في: قسمة أفعال النَّبي ﷺ وتروكه

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باب في أفعال النَّبي ﷺ

إذا اختلفت أو تعارضت مع أقواله

أبواب الإجماع

باب في كون الإجماع حجة

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باب في أن الإجماع بماذا يكون

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باب في من يعتبر في الإجماع ممن بعث إليه النبي ﷺ

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باب في أن إجماع أهل كل عصر

هل هو حجة وصواب أم لا؟

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باب في اعتبار المجتهدين كلهم في
العصر الواحد في الإجماع

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أما الفصل الأول

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وأما الفصل الثاني

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وأما الفصل الرابع

باب في ما يكون فيه الإجماع حجة

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باب في الإجماع الصادر عن اجتهاد

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باب في الاختلاف بعد الاتفاق
والاتفاق بعد الاختلاف

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أما الفصل الأول

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وأما الفصل الثاني

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باب في انقراض العصر هل هو
شرط في كون الإجماع حجة أم لا؟

باب في ما أخرج من الإجماع وهو منه

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أما الأول في مسألة واحدة

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وأما الثاني في مسألتين

باب في أن أهل العصر إذا أولوا الآية بتأويل أو استدلوا
على المسألة بدليل، أو اعتلوا بعلة، هل يجوز لمن
بعدهم إحداث تأويل أو دليل أو علة أخرى؟

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باب في: أن الأمة لا تجتمع إلا عن طريق

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باب في جواز الإجماع عن اجتهاد

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باب في الطريق إلى معرفة الإجماع

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باب القياس

تعريفات:

باب جواز ورود التعبد بالقياس، عقلاً وشرعًا

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باب في أنه هل يجوز أن يجب العمل
بالقياس في جميع الشرعيات أم لا؟

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باب في أنا متعبدون بالقياس الشرعي

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باب في أن النص على علة الحكم في الأصل

هل هو تعبد بالقياس بها أم لا؟

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باب في أن النَّبيﷺ

هل كان متعبدًا بالقياس والاجتهاد أم لا؟

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باب في أن من عاصر النَّبي ﷺ

هل كان متعبدًا بالاجتهاد والقياس أم لا؟

باب في أن القياس

هل هو مأمور به ودين أم لا؟

باب: شروط القياس وما يصححه ويفسده:

باب الطريق إلى معرفة العلل
الشرعية، وبيان أقسامه

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- إبطال أقوال المخالفين:

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- طريق معرفة العلة المستنبطة

باب في تعليل أصول العبادات والتقديرات وغير ذلك

والفرق بين القياس والاستدلال

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باب في تعليل الأصل الواحد
بعلل مختلفة

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باب في حكم الفرع إذا
تقدم على الأصل

باب في العلة هل هي دلالة على اسم الفرع
ثم تعلق به حكم شرعي أم تدل ابتداء على الحكم؟

باب في: تخصيص العموم ونسخه بالقياس

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باب في تخصيص العلة. وتخريج النقوض

التي ترد على العلل المستنبطة

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باب القول في الاستحسان

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باب في تعارض العلل، والقول في تنافيها
وترجيح البعض على البعض

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باب في أن المجتهد، هل يجوز أن يعتدل عنده
الأمارات في المسألة؟ وإذا اعتدل فما حكمه؟

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باب في استصحاب الحال

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باب في ما يعلم بأدلة العقل، وما يعلم بأدلة الشرع

باب في تعبد النَّبي الثاني بشريعة الأول، وأن نبينا ﷺ لَم يكن متعبدًا قبل النبوة ولا بعدها بشريعة من تقدم، لا هو ولا أمته

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باب في الصفة التي معها يجوز

للإنسان أن يفتي نفسه ويفتي غيره

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باب في كيفية فتوى المفتي

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باب في إصابة المجتهدين

وأن الحق عند الله تعالى في المجتهدات واحد أو حقوق

[illegible]

أما في الأصول:

وأما في الفروع:

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